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R. Ford

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE RACKABLE SYSTEMS, INC.
SECURITIES LITIGATION

) Case No. C-09-0222-CW

) CLASS ACTION

THIS DOCUMENT RELATES TO:
ALL ACTIONS.

) **STIPULATION AND ORDER**
) **REGARDING SCHEDULING**
) **MATTERS**

1 WHEREAS, pursuant to the Court's Stipulation And Order Regarding Scheduling And
2 Related Matters As Modified of March 13, 2009, Lead Plaintiff filed the Amended Complaint For
3 Violations Of The Federal Securities Laws ("Amended Complaint") on June 15, 2009;

4 WHEREAS, Defendants' response to the Amended Complaint is currently due on
5 July 30, 2009;

6 WHEREAS, Defendants intend to file a motion to dismiss the Amended Complaint;

7 WHEREAS, the parties have agreed, subject to the approval of the Court, to modify the
8 schedule for the filing of Defendants' response to the Amended Complaint.

9 NOW THEREFORE, the parties to this action hereby stipulate and agree, by and through
10 their undersigned counsel, as follows:

11 1. Defendants shall file their response or any motion directed to the Amended
12 Complaint by August 13, 2009;

13 2. If Defendants file a motion directed to the Amended Complaint, Lead Plaintiff's
14 opposition brief shall be filed by September 14, 2009;

15 3. Defendants' reply brief in support of any such motion shall be filed by
16 October 14, 2009;

17 4. The hearing on any motion filed by Defendants shall be October 29, 2009 at
18 2:00 p.m.

19
20 O'MELVENY & MYERS LLP

21
22 Dated: July 28, 2009

23 By: /s/ Meredith N. Landy

24 Attorneys for Defendants Rackable Systems,
25 Inc., Thomas K. Barton, Madhu Ranganathan
26 and Todd R. Ford
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GLANCY BINKOW & GOLDBERG LLP

Dated: July 28, 2009

By: _____/s/_____

Lionel Z. Glancy
Michael Goldberg

Attorneys for Lead Plaintiff

I, Meredith N. Landy, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Regarding Scheduling Matters. In compliance with General Order 45, X.B., I hereby attest that Lionel Z. Glancy has concurred in this filing.

By: _____/s/_____

Meredith N. Landy

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

8/4

DATED: _____, 2009



The Honorable Claudia Wilken
United States District Judge